



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

Food and Drug Administration
7200 Lake Ellenor Drive
Orlando, Florida 32809

HFI-35 *7/23/97*

413

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

WARNING LETTER

FLA-97-82

September 8, 1997

James J. O'Brian
Port Director, Port Everglades
1850 Eller Drive
Fort Lauderdale, Florida 33316

Dear Mr. O'Brian,

FDA inspected your vessel watering points at Port Everglades, located at 1850 Eller Drive, Fort Lauderdale, Florida, on August 12-14, 1997.

The observations made during the inspection are in violation of the Public Health Service Act and the Food Drug and Cosmetic Act as promulgated in Title 21, Code of Federal Regulations, Parts 1240 and 1250.

During the inspection the following violations were noted:

1. Leaks at 13 watering points.
2. The use of illegal hoses at two watering points.
3. Valves or pipes positioned improperly to cause possible contamination at 47 watering points.
4. Shut-off valves missing from 30 watering points.
5. Standing water in 15 watering points.
6. Caps and chains missing from 121 watering points.
7. Trash noted in 43 watering point compartments.
8. Lids needing repair or replacement at 24 watering point compartments.

The list of inspectional observations, identified above, is not intended to be an all-inclusive list of the conditions observed at your facility. It is your responsibility to assure adherence with all requirements of the regulations.

Based on the inspectional findings, we are classifying your facility as **PROVISIONAL** for interstate carrier use for a period of thirty (30) days. A "Provisional" classification means that the facility may continue to operate; however, significant correction of violations must be made by the expiration date. On or about that date, a re-inspection of your facility will be conducted to assure that corrections meet FDA requirements. If significant corrections are not made by the time of the next inspection, the facility will be reclassified as NOT-APPROVED for carrier use.

A classification of NOT APPROVED means that potable water from this facility MAY NOT be used for human consumption by any domestic passenger conveyance, until said violations have been corrected and the facility has been reinspected by the Food and Drug Administration.

Please advise this office within fifteen (15) days of the receipt of this letter regarding the measures you have implemented to correct the violations. Your response should include a discussion of any delays you foresee in achieving correction, and a deadline by which correction can be expected. Please direct your response to ITS Specialist William A. Oetting at telephone number (305) 526-2800, ext. 925 or by FAX at (305) 526-7843.

We acknowledge that some corrective actions have been implemented concerning the observations noted during the August 12-14, 1997 inspection. These corrections should also be addressed in your response to this letter.

A copy of this letter is being forwarded to the agent for all interstate carriers identified as being serviced at your watering points.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas T. Tolen", with a long horizontal flourish extending to the right.

Douglas T. Tolen
Director, Florida District

cc:

[REDACTED]

[REDACTED]

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